



Linda S. Adams
Secretary for
Environmental Protection

California Regional Water Quality Control Board San Diego Region

9174 Sky Park Court, Suite 100, San Diego, California 92123-4340
(858) 467-2952 • Fax (858) 571-6972
<http://www.waterboards.ca.gov/sandiego>



Arnold Schwarzenegger
Governor

CERTIFIED MAIL – RETURN RECEIPT REQUESTED 7008 0150 0003 7457 7899

February 9, 2009

Mr. David P. Albaum
GNW Evergreen Insurance
16030 Ventura Boulevard, Suite 500
Encino, CA 91416

In reply refer to:
ORCGWU:50-4175:spease

Dear Mr. Albaum:

SUBJECT: NOTICE OF VIOLATION NO. R9-2009-0029
SITE: MURRIETA NURSERY, 41541 IVY STREET., MURRIETA, CA

YOU ARE HEREBY NOTIFIED OF THE FOLLOWING ALLEGED VIOLATION:

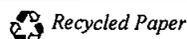
Failure to comply with Directive B.2. of Investigative Order No. R9-2005-0030:

BASIS FOR ALLEGED VIOLATION:

1. Directive B.2. of Order No. R9-2005-0030 states that you must: "Comply with the electronic reporting requirements of section 3890 et seq., Title 23, California Code of Regulations."
2. Section 3890 of the California Code of Regulations (CCR) requires all reports submitted pursuant to Title 23 CCR, Chapter 16, "Underground Storage Tank Regulations" to be submitted in Electronic Deliverable Format using the State Water Resources Control Board Geotracker database.
3. The 4th Quarter 2008 Quarterly Groundwater Monitoring Report laboratory data was not submitted to the Geotracker database (EDF) by January 30, 2009.

The violation cited above is serious and may result in further enforcement action against you, including a civil liability being administratively implemented by the California Regional Water Quality Control Board, San Diego Region (Regional Board) under authority of section 13350 of the California Water Code. Any person failing or refusing to furnish information required under the authority of Water Code section 13267 or falsifying information submitted to the Regional Board pursuant to

California Environmental Protection Agency



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such a directive is guilty of a misdemeanor and may be subject to civil liability to \$1,000 per day of the violation.

Questions pertaining to the issuance of this Notice of Violation should be directed to Ms. Susan Pease at (858) 637-5596. Written correspondence pertaining to this Notice of Violation should be directed to the following address:

Ms. Julie Chan
Supervising Engineering Geologist
California Regional Water Quality Control Board
San Diego Region
9174 Sky Park Court, Suite 100
San Diego, CA 92123
Attn: Ms. Sue Pease, ORCGW Unit

In the heading portion of this notice after "In reply refer to:" a Regional Board code number is listed. In order to assist us in the processing of your correspondence please include this code number in the heading or subject line portion of all correspondence and reports to the Regional Board pertaining to this matter.

Respectfully,



JULIE CHAN
Supervising Engineering Geologist
Ground Water Basins Branch

JC/sjp

c:/Murrieta Nursery/EDF.NOV.Feb 2009.doc

cc: Mr. Mark Zeko, Environmental Engineering and Contracting, Inc., 501 Park Center Dr., Santa Ana, CA 92705

Mr. Ramesh Sundareswaran, UST Cleanup Fund, P. O. Box 944212
Sacramento, CA 94244-2120

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

CERTIFIED MAIL™



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Total Postage & Fees	\$	

Postmark Here

Sent *Mr. David P. Albaum*
 Street, Apt. No. *16030 Ventura Blvd, Apt 508*
 or PO Box No. *508*
 City, State, ZIP+4 *Encino, CA 91416*

PS Form 3800, August 2006

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mr. David P. Albaum
16030 Ventura Blvd, Apt
508, CA 91416

COMPLETE THIS SECTION ON DELIVERY

- A. Signature Agent Addressee
- X
- B. Received by (Printed Name) C. Date of Delivery
- D. Is delivery address different from item 1? Yes No
If YES, enter delivery address below:

SDD

3. Service Type
- Certified Mail Express Mail
- Registered Return Receipt for Merchandise
- Insured Mail C.O.D.
4. Restricted Delivery? (Extra Fee) Yes No

2. Article Number (Transfer from service label) **7008 0150 0003 7457 7899**

PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540

2 / 10 / 2006